

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS**

BROADCAST MUSIC, INC.;)
UNIVERSAL-SONGS OF POLYGRAM)
INTERNATIONAL, INC.;)
SONY/ATV SONGS LLC d/b/a SONY/ATV)
TREE PUBLISHING; DYNATONE PUBLISHING)
COMPANY; RONDOR MUSIC)
INTERNATIONAL, INC. d/b/a IRVING MUSIC;)
JAMES WILLIAM BUFFETT a/k/a JIMMY)
BUFFETT, an individual d/b/a CORAL REEFER)
MUSIC; FOUR- TEENTH HOUR MUSIC INC.;)
SPRINGTIME MUSIC, INC.; EMI VIRGIN)
SONGS, INC. d/b/a EMI FULL NELSON MUSIC;)
FREDERICK S. BIENSTOCK and)
HAMMERSTEIN MUSIC & THEATRE)
COMPANY, INC., a Connecticut Partnership d/b/a)
EDWARD B.MARKS MUSIC COMPANY;)
DANDELION MUSIC CO., A Division of)
JAMIE MUSIC PUBLISHING CO.; PRONTO)
MUSIC, a division of COTILLION MUSIC, INC.;)
QUINON R. IVY d/b/a QUINVY MUSIC)
PUBLISHING CO.; WARNER-TAMERLANE)
PUBLISHING CORP.; JEFF TROTT d/b/a)
TROTTSKY MUSIC; SHERYL SUZANNE)
CROW d/b/a OLD CROW MUSIC; SONGS OF)
UNIVERSAL, INC.; LISA ANNE LOEB,)
an Individual d/b/a FURIOUS ROSE MUSIC;)
JUAN P. PATINO, an individual d/b/a)
JUAN PATINO MUSIC PUBLISHING,)
Plaintiffs,)
v.) Civil Action No.: 05 11845 RCL
MARINA VIEW CORPORATION d/b/a)
SKYLINE BAR & GRILL,)
GRIMOALDO A. RUSCITO,)
ANTONIO C. RUSCITO and)
ANTHONY RUSCITO, each)
individually,)
Defendants.)

**CERTIFICATION PURSUANT
TO LOCAL RULE 16.1(D)(3)**

Pursuant to the Local Rules of the United States District Court, District of Massachusetts, Local Rule 16.1(D)(3), plaintiffs and their counsel hereby certify that:

- 1) The undersigned have conferred with a view to establishing a budget for the costs of conducting the full course – and various alternative costs – of the litigation; and
- 2) The undersigned have conferred to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

BROADCAST MUSIC, INC.
for itself and on behalf of all Plaintiffs,

By:



Kerri Howland-Kruse
Title: AVP, Legal

And by its attorneys,

/s/ Amy C. Mainelli
William S. Strong, Esq., BBO #483520
Amy C. Mainelli, Esq., BBO # 657201
KOTIN, CRABTREE & STRONG, LLP
One Bowdoin Square
Boston, MA 02114
(617) 227-7031
(617) 367-2988 (fax)

Dated: January 18, 2006 

CERTIFICATE OF SERVICE

I, Amy C. Mainelli, certify that I have this day served the foregoing document by first class mail upon counsel for the defendants in this action.

1-27-06
Date

/s/ Amy C. Mainelli
Amy C. Mainelli